G. R. S. IX-5]

Previous references.

1882
~~191~~
(L. R)

File No. A-1882

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 — 11.

Major Part B for September ~~October~~ 1900

SUBJECT.

Levy of tolls on carts carrying gravel for road repairs in Haidarghar and Aguada ghat stations.

Indexed
C. J.

TO. Deputy Commr. Shimoga Dt. } No. 2267/R. 219 Dt 11.9.190

Subject. Directs that all carts carrying gravel, metal or any other material for use of govt work be exempted from the payment of toll at the gates.

Commr marked

W D 88—GPB—50,000—24-7-16

SECRETARY'S OFFICE.

REVENUE BRANCH.

OFFICE NOTE.

SUBJECT. Regarding the levy of toll on carts carrying travel for road repairs in Haidergharand Agumbe Ghat stations

LAST REFERENCE Letter No. 29/22 dated 7th July 1882

from The Collector, Shimoga D.

With regard to levying toll on travel carts on the Agumbe Ghat it was laid down in Govt Proc: No. 4032-3/177 dated 1st September 1882 as follows:—

"If the travel is the property of a Contractor whose engagement with the Govt is to deliver the same on the works and who has engaged the carts to convey the same to the works; it cannot be considered as the property of Govt while in transit and

and will be liable to the payment of the toll, but if the gravel were taken over by Govt at the place of collection and has been conveyed in carts engaged by Govt to the works which are carried on under Amani, then it may be regarded as the property of the Govt and exempted from the payment of the toll."

The Deputy Comr now ~~[illegible]~~ requests a reconsideration of the above order on the ground that the toll gates which really are meant to be at the border between our and British territory are located some distance this side merely for convenience; that as the carts in question pass only as far as our border, they are, on principle, not liable to pay any tolls and that the only effect of allowing tolls to be levied on these carts would be as stated

GOVERNMENT OF MYSORE

stated by the Deputy Executive Engineer, to increase the tolls due to Contractors at the expense of the Public Works Department. He ~~says~~ States that ~~~~ the rule has not at all been brought into force in Agumbe; that as the Contractors have all along dealt on the footing of its non-existence. There is no need to investigate the reasons for the ~~same~~ omission; and that the Contractor in Haider-ghat ghat also has similarly no right to complain of loss at any rate after his order of 1897 directing the discontinuance of the practice, the gravel being treated as Govt. property by the Executive Engineer. The Deputy Suggests that under the above circumstances the rule itself may be

be altered so as to make these gravel carts pass free at the toll gates.

With reference to the officiating Dewan's remarks on the Dy. Comr's letter that 'the tolls are credited to Dt Funds', it is respectfully submitted that the tolls in question are credited to Provincial Funds' as per G.O. No 20998+-21007 & 6/6/1894, R.F. 295-92 as the roads in question are constructed and maintained from Provincial Funds.

+ copy put up.

Mb mr Asd S
Secretary
VI
11/9/00

Resubd to Offg Dewan with reference to his order dated 28/8/00. The tolls are credited to Provincial Funds & not to District Funds. Kindly see also the

words I have now
underlined in my note
of the 27th July 1900.

3/9/00.

14/9/4

I abstain with
the Secy in his note
of 27.7.1900 on
account of my opinion.

5/9/1900

Drafted
5/9/00

9/7.S.W

(1)

Section X B
File No. A 49
Serial No.

To The Dy Com. Sheung
Dated
of 6th July 1872
No. 2507
106

Letter dd 26th from the Executive Engineer Kandy Division with Enclosures (to be returned)

To forwarding the accompanying papers to the Dy Com. Sheung for report as requested to allow the gravel carts to pass free of Toll keeping an account of the same for adjustment hereafter if necessary. Such materials for repairs of roads ought to be free from Toll.

R.M.

1882. 3455 (2)

From The Dy. Commissioner of Municipal Accounts

To the Deputy Secretary to ~~Chief Commissioner~~, Revenue General Department.

Dated 16th August

Despatched

Received

Enclosures No. { 1 file of 7 papers 2 files Canarese correspondence 5 in number

General No. 498 / No. 349 } 1882 - 83.

Subject Reports on the subject of levying tolls on gravel carts —

Section LB

File No 82

Serial No 2

5032-3 17-7-82

D 1-9-82

18/8/82

Please put up Ref.

Rule 274 of 4/11/76 —

Vide Mysore Gazette Part I of 11th June 1876. Page 314.

Decay

24/8

No 498
R 349
1 file of 7 papers &
2 files Canarese
papers 5 inwards

Deputy Commissioners Office
Shimoga District
Shimoga, Dated 16th August
1882.

To

The Secretary to the Dewan
& Mysore Rev: Department

Sir.

With reference to your docket No
25-07/106 dated 6th Ultimo on the subject
of levying toll on travel carts, I have
the honor to forward herewith the Cana-
rese correspondence between this Office
and the Amildar of Kavaledurga, to
which the letter of the Executive Engineer
Kadur Division alluded to, refers. It
will be seen therefrom that it having
been brought to my notice that toll was
being levied at an[illegible]mbe from D. P.W.
Subordinates as well as Revenue Officials
though on duty, and finding that the
toll Contractor apparently based his right
to levy toll from them on the wording of
para

para 5 of Notification No 274 dated 4th November 1876. Practically note of which mentions only Troops and Police officers on duty, I directed the Executive to inform the Contractor that the spirit of the notification applies to all Government officers on duty alike and to Government property whether in person receiving toll-tax as toll-tax is levied from road contractors as distinguished from Government officers on duty and except when Government property is concerned, the toll may be levied on their carts whether employed in the collection of grain or otherwise.

2. I may add that the Executive Engineer Madura Division having before the receipt of the docket-under reply written to me on the subject, I sent him a copy of my order intimating him at the same time that the option lies to claim exemption or [illegible] property fully used on Government

3 I have now intimated the Contractor of the Executive orders that he should not levy toll on materials of any

kind collected by Contractors for road repairs until further orders, and that he should keep an account of the cords taking such materials. He has agreed to do so.

4. The enclosures of your docket under reply are herewith returned.

I have the honour to be
Sir
Your Most obedient Servant

A Constantine Esq
Deputy Commissioner
Thunder District

LPC.

(General Serial No. 30.)

1882

5

From

The Secretary to the Dewan
of Mysore.

To

The Dy Commr.
Shimoga Dt.

Ex: Engineer
Shimoga Dt.

Dated 1st September

Despatched —

Received

Enclosures No. Copy

General No. 4032-3

No. 177.

Passing orders on the subject of levying Tolls on gravel carts on the Agumbi ghat.

Section L B
File No 4-82
3

Read

Letter from the Dy Comm. of Customs, No 498/349 dy 16 August 1882, reporting on the subject of levying tolls on travel Carts on the [illegible] Aqueduct

If the Cart is the property of a Contractor whose engagement with the Govt. does not [illegible] and who has engaged the Cart to convey the same to the works, it cannot be regarded as the property of Govt. while in transit and will be liable to the payment of the toll; but if the travel were taken over by Govt. at the place of collection & has been

conveyed in carts engaged by Govt. to the works which are carried on under Annani, then it maybe regarded as the property of Govt. and exempted from the payment of the Toll. The matter will be disposed of by the Dy. Comr. in accordance with the above on the application of the Exp: Engineer. There is no occasion for any temporary suspension of the collection of the Toll, and the question must be decided at once one way or another in accordance with the above principles

Cy

Secty

To the Dy Comr. Shemoga Dist. with papers.
The Exp Engr Shemoga Dr. with
three Sch. D. P. W.

Mysore Public Works Department
Circuit

No. 32.

From The Secretary to the Government of Mysore.

To The Secretary to the Diwan of Mysore

Dated Camp Kupore 7th Sept/82.

Despatched

Enclosure/s No.

Subject.

Has the honor to request the Secretary will be good enough to return to this office the marginally noted reference, forwarded with this Office memo dated 20th June/82 regarding the collection of toll for passage of gravel on Aryumbi ghaut in Kadur Division.

M. Washington Captain R.E.

Secretary to the Govt: of Mysore
P.W.D.

Section L 03.
File No 4 82
Serial No 4

× Kadur Division Executive Engrs no 26 of 12th June/82.

4563

9/7.52

(General Serial No. 3

1882.

From

To The Dy Comm^r. Shmojahi D^r

Dated September

Despatched

Received

Enclosures No.

General No.

No.

Section L.B.

File No 1882

Serial No 5

Madras Division Executive Engineers No. 26 dated 12 June 1882.

Requests that the marginally noted reference forwarded with the Dewan's Proceedings No. 4032-3/177 dated 1st September 1882 may be transmitted to the Secretary to the Govt. of Mysore in the P.W.D.

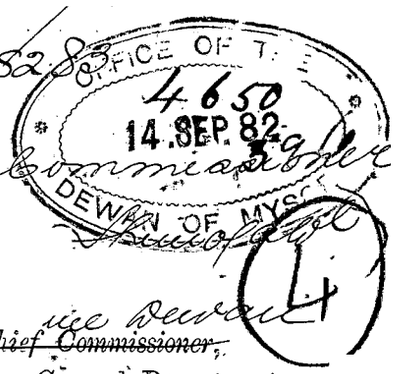
By order

&

Dr Levy

Copy to Secretary P.W.D. with reference to his No 32 dated 7-9-82

1882 83



From

The Secretary to Chief Commissioner,
Dewan
Rec'd: General Department.

To

The Secretary to ~~Chief Commissioner~~, Dewan
Rec'd: ~~General~~ Department.

Dated 11th September
Despatched
Received

Enclosures No. 7.

General No. 582 } 1882-83.
Mysore No. 409

Dewans Proceedings
No. 4032-3 dated 1st Sept:
1882 passing orders on the matter
of levying tolls on carts carrying gravel for the
Agumbi Ghat
&c &c &c

I have the honor to re-
-turn herewith the extra
enclosures received with
the above.

I have &c
Secretary Comm^r
Signed A Scott

GDC.

Section L B
File No 4 82
Serial No 6

9/7.82

(General Serial No. 31.)

1882. Jotl. 6

From

To The Secretary to the Govt. of Mysore P. W. D

Dated 19 September.

Despatched –

Received 9

Enclosures No. 7

General No. 4439

No. 47

Section L B

File No A-82

Serial No 7

His letter No. 32 of the 7th September 1882

Is requested in the above, returns the Kadur Division Executive Engineers No. 26 of the 12 June 1882 with correspondence.

By order

draft

for Secy

(7)

From The Deputy Commissioner Khasi & Jaintia Hills

To The Secretary to the Govt. of Bengal

Dated 24th April 1900

Despatched

Received 30 April 1900

General No. 939

No. 745

Enclosure No.

Section 203

File No 482

Serial No 8

Request that the copy of orders dated 12th September 1882 regarding the levy of toll on ponies carrying betel nut may be endorsed to the Local Government.

Rec'd 2 Endorsements as noted on 5/5/00 P.

Please put up the Records

3/5/00

Reference on the subject flying

3/5/00.

3/5/00.

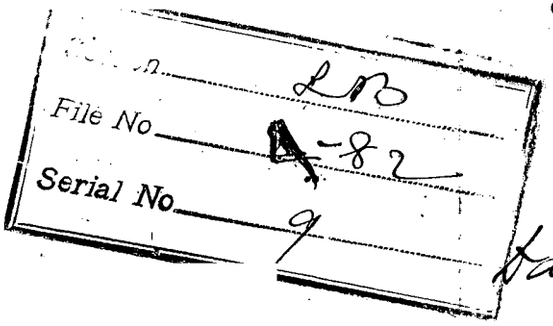
Draft for approval

8

To

The Deputy Commr.

Skeena District



Dated 7/5/00

No 7910 Encl

Q 2675

Has the honor to for-
- ward, as requested in his
docket- No 939-785 dated
the 28th April 1900, a
Copy of G.C. No 4032-3/177
dated the 1st September 1887
regarding the levy of tolls
on gravel carts on the
Agencies thal-

By Order

M
5/5/00

for Secretary.

Section L B.
File No A-82
Serial No 10
Transferred to the Rev Branch.

R.138

161
9-7-00

1900

1900

FROM The Deputy Commissioner Simaga District.

To The Secretary to the Govt of Mysore Rl & Rev. Departments

Dated 7th July 1900.

Despatched

Received

General No. 29

No. 22

Enclosure No.

With reference to Govt Proc: No 6032-3 dated 17th 1st September 1882, requesting that the matter of levying tolls on carts carrying gravel for road repairs in Hardanghar and Agumbe ghat stations may be reconsidered for the reasons given therein.

The duty of toll in such cases means a corresponding increase of rates charged by the Rly. All carts carrying Gravel metal or any other material for use on Govt roads, bunds, drys or other works may be exempted from the payment of toll. The Govt is pleased to direct accordingly

27-7-00

N

27/7

Please see letter and connected papers

13988

The tolls on metal is 4 Pies

This may be sent to the Executive Engr in charge of Agumbe

28/7/1900

Verified & Note Sheet

31/8/00.

Slip

9-7

Memorandum (With orders)

Refs: 1) to 4

31/8/00

No.

Deputy Commissioner's Office
Shimoga District,
5th July 1900.

To
The Secretary to the Government of Mysore,
General and Revenue Departments.

Sir,

I have the honour to request that the order in the matter of levying tolls on carts carrying gravel for road repairs in Haidarghar and Agumbi ghat stations laid down in Government Proceedings No. 4032-3/177 dated 1st September 1882 may be reconsidered for the following reasons.

2. In 1897, the Executive Engineer wrote to me that the

the levy of such tolls on Ha
ghat ghat was unauthorized.
(No. 623 dated 26th August 1897)
His attention was drawn to the
above Government Order (No. 4032-3/177
dated 1st September 1882) and
in reply he explained that the
gravel should be treated as
Government property. (No. 457
dated 19th September 1897) There-
upon an order was issued dis-
continuing the practice

3. The Contractor thereupon
presented a petition to the Sub-
Division Officer of Sagar, who after
referring to previous correspon-
dence, represented that the toll
was properly levied in accordance

with

with the Government order (No. 4032·3/177 dated 1st September 1882). On the opinion of the Executive Engineer being again requested, he differed from his predecessor and stated that the gravel in such cases cannot be considered to be Government property. He recommends however that the rule itself should be cancelled, as otherwise the contractors would demand higher rates for carting gravel. (Vadi No. 66 dated 3rd April 1900).

4. I beg to suggest that in the circumstances the rule itself may be altered so as

to make these gravel carts pass free at the toll-gates. The toll-gates which really are meant to be at the border between our and British territory are located some distance this side merely for convenience; and as the carts in question pass only as far as our border they are, I submit, on principle not liable to pay any tolls. This and the reason suggested by the Executive Engineer that the only effect would be to increase the tolls due to contractors at the expense of the Public Works Department are quite sufficient to justify the

the cancellation of the liability.

5. The rule has not at all been brought into force in Agumbi and as the contractors have all along dealt on the footing of its non-existence, there is no need to investigate the reasons for the omission. The contractor in Haidarghar ghat also has similarly no right to complain of loss at any rate after the order of 1897 passed by me.

I have the honour to be,
Sir,
Your most obedient servant.

H. Hayavadana Rao

Deputy Commissioner
Shimoga District

Encl.

Section L.B.
File No 4-82
Serial No 11

Read again

Government Prog.
No 4032-3 dated 1st Septemb
1882 directing that toll
be levied on carts carrying
gravel for road repairs on
the Agumbe Ghat if the
gravel is the property of
a Contractor whose engage-
ment [illegible] to deliver the
same on the works.

Read

Letter No 22 dated
7th July 1890 from the
Dy Comr Shimoga
Dt requesting that the
rule laid down in the
above, may be altered s
as to make the gravel
carts of Contractors
pass free at the Agum
and Haider Ghat
Ghat toll gates on the
ground that these gravel
carts which
carts do not pass beyond
mysore borders are on principle
not liable to pay any
toll

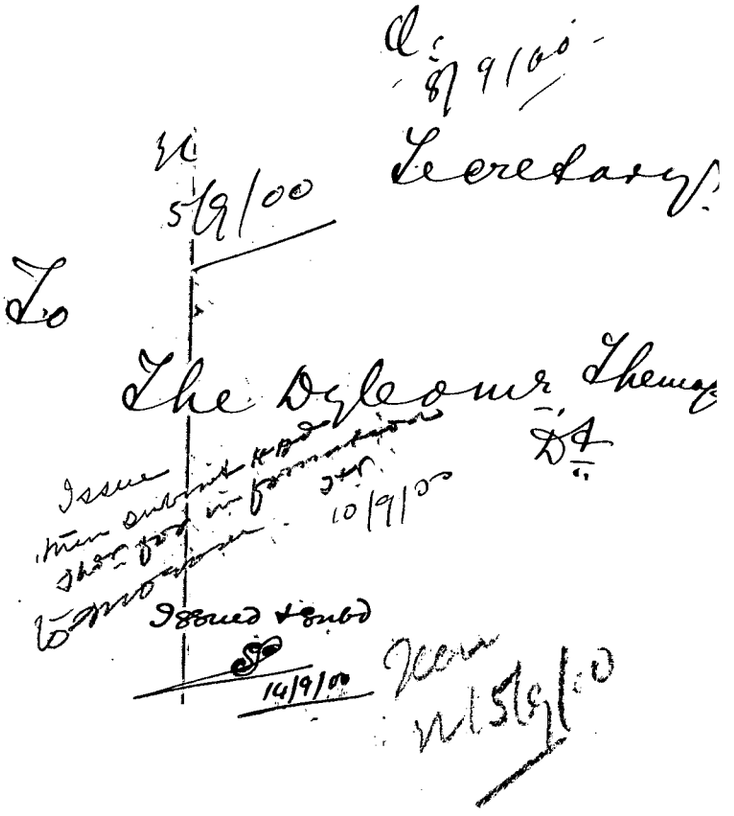
tolls; that ~~as the~~ ~~only~~ only effect of allow-ing tolls to be levied on these carts would be to increase the tolls due to Contractors at the expense of the Public Works Department, and that as the rule laid down in the above Prop: has not at all been brought into force at Agumbé and as its application has been discontinued at Haider ghar since 1897, the Contractors ~~will~~ will not have any reason to Complain of loss by its cancellation.

Order thereon:—

Under the foregoing circumstances, Govern-ment are pleased to direct that all carts carrying gravel, metal or any other material for use on Government roads

No 2267 & 11/9/00
H 219. 11

roads buildings or other works be exempted from the payment of toll at the toll gates mentioned above



Read & Copied
10/9/00